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ASSEMBLY, No. 4519

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED SEPTEMBER 22, 2022

Sponsored by:
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District 15 (Hunterdon and Mercer)

SYNOPSIS

Prohibits motor vehicle manufacturer or dealer from requiring subscription for certain motor vehicle features and from charging certain fees.

CURRENT VERSION OF TEXT

As amended by the General Assembly on May 25, 2023.

An Act concerning motor vehicles subscriptions [1]and other post-purchase fees[1] and supplementing Title 56 of the Revised Statutes.

Be It Enacted *by the Senate and General Assembly of the State of New Jersey:*

1. a. It shall be an unlawful practice and a violation of P.L.1960, c.39 (C.56:8-1 et seq.) for a motor vehicle dealer or a manufacturer of motor vehicles sold or leased in this State to offer to a consumer a subscription service [1]or to charge a consumer a post-purchase fee[1] for any motor vehicle feature that:

(1) utilizes components and hardware already installed on the motor vehicle at the time of purchase or lease by the consumer; and

(2) would function after activation without ongoing expense to the dealer, manufacturer, or any third-party service provider.

[2]The provisions of this section shall not be construed to prohibit a motor vehicle dealer or a manufacturer of motor vehicles sold or leased in this State from providing any software update to a consumer, provided the motor vehicle dealer or manufacturer does not charge the consumer a fee for any software update remedying a safety-related defect that is required to be provided to the consumer at no cost pursuant to State or federal law.[2]

b. As used in this section:

"Manufacturer" means a person or business engaged in the manufacturing or assembling of new motor vehicles.

"Motor vehicle" has the same meaning as defined in R.S.39:1-1.

"Motor vehicle dealer" means any business that engages in the selling or leasing of new or used motor vehicles to consumers.

"Motor vehicle feature" means any convenience or safety function included on the motor vehicle, such as heated seats or driver assistance that typically is offered to a consumer as an upgrade at the time of purchase or lease of the motor vehicle.

"Subscription service" means a service provided on a subscription basis in exchange for a recurring payment, including, but not limited to, a weekly, monthly, or annual payment charged to and made by a consumer [3]but shall not include third-party services, such as infotainment features, satellite radio, or in-vehicle Wi-Fi.[3]

2. This act shall take effect immediately.